(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

(CG)

WRIT PETITION NO. 2797 /2002

PETITIONER

Bengal Nagpur Cotton Mill, A unit of National Textile Corporation, through : K.R. Chittawar, Officiating Factory, Manager, Rajnandgaon (Chhattisgarh).

P.R. No. 2983/02
Presented by Shri Deepak Tiwari
dated 13.8.02

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through : Secretary, Department of commerce and Industries, Mantralay, D.K.S. Bhawan, Raipur (Chhattisgarh)

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2. State of Chhattisgarh, through : Department of Revenue, Mantralaya, D.K.S. Bhawan, Shastri, Raipur, Chhattisgarh.

3. Collector, Distt. Rajnandgaon (CG)

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT OF CERTIORARI, PROHIBITION, MANDAMUS ETC. AND / OR FOR FURTHER APPROPRIATE DIRECTIONS OR ORDERS TO DO JUSTICE IN THE MATER.

DETAILS OF THE PETITION:

एस.के. शुक्ला
बिलासपुर (छ.ग.)
बिलासपुर तहसील

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(112)

आदेश पत्रक

मामला क्रमांक W.P. 2797/02 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.12.2003

Shri Prashant Jayaswal, Advocate for the petitioner.

Shri Sunil Sinha, Addl. Advocate General with Shri Sanjay K. Agrawal, Dy. Advocate General for the State/Respondents.

With consent, heard finally.

Learned counsel for the State pointed out that there was an Order dated 02.04.2003 for listing the case for final hearing in the week commencing 21.04.2003. However, the matter could not be heard finally.

Learned counsel for the petitioner submits that no objection for selling the land was granted as per Annexure P/8 on 30.11.2002 and the said no objection was withdrawn as per Annexure P/9 dated 25.11.2002 without hearing the petitioner. He submitted that because of said withdrawal they are suffering loss to the extent of Rs.29.00 crores towards repayment of loan as they have raised a loan of Rs.28.82 crores which was to be repaid by selling land and mechinary of the mill. Counsel for the petitioner submitted that ends of justice will be served if a direction is given to the petitioner to make a representation to the respondent No.2 which may be decided in accordance with law.

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(113)

आदेश पत्रक

मामला क्रमांक W.P. 2797 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a representation before the respondent No.2 along with copy of petition and this Order. On such representation being filed the respondent No.2 shall decide the same after hearing the parties as early as possible preferably within 4 weeks from the date of receipt of representation in accordance with law.

With this observation, the petition is disposed of with liberty to file afresh in case cause of action is still survives.

In view of the above Order, I.A.No.7758/2003, 9008/2003 and 10510/2003 stand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Pathak

[पीछे देखिये